

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

Date: Thursday, March 21, 2019

TO: File

FR: Chief Alfonso Morales
Fire and Police Commission

RE: Harassment Complaint upon Assistant Chief Raymond Banks P.S. 007002
Complaint #H2018-0003



On Monday, March 19, 2018, I wrote a memorandum to then-Executive Director MaryNell Regan of the Fire and Police Commission regarding a harassment complaint made by Police Officer Katrina Warren upon then-Acting Assistant Chief Raymond Banks. This harassment complaint was formally investigated by the Internal Affairs Division, which included a recorded interview on January 25, 2018 by Sergeant Lisa Gagliano and Captain Kristin Riestra and a January 25, 2018 memorandum written by Sergeant Gagliano. In my memorandum sent to then-Director Regan, I stated that I advised then-Acting Assistant Chief Banks to refrain from having any further contact with Officer Warren and reviewed Standard Operating Procedure 520.10 as it relates to Sexual Harassment. The investigation was then closed..

On or around Friday August 10, 2018, I received a letter from Cross Law Firm representing previously unreported allegations of harassment from Officer Warren against now-Assistant Chief Raymond Banks. All of the alleged incidents of harassment pre-date my March 19, 2018 memorandum, and, as of this memorandum, Officer Warren has never filed any formal complaint to the Milwaukee Police Department since January 2018. However, I decided to treat the allegations in the letter as a formal complaint and investigate them accordingly. Given the nature of the allegations against a member at the rank of assistant chief and the fact Assistant Chief Banks oversees the Internal Affairs Division, I solicited a mutual aid request for an outside agency to conduct an independent investigation into the new claims of harassment asserted by Officer Warren's lawyer in the August 10, 2018 letter. The Waukesha Police Department (WPD) agreed to conduct the investigation.

In October 2018, WPD began an internal investigation of the new harassment complaints. WPD was given full access to any files, records or other documents that it requested, as well as permission to interview any current member of the Milwaukee Police Department. In a memorandum dated February 1, 2019, the Waukesha Police Department provided me their investigative report.

In the February 1, 2019 memorandum, WPD determined that its investigation would focus on two main components:

- The movement of the recruiting responsibilities from Warren to OCOE.
- The harassment allegations.

Ultimately, WPD found that "the movement of the Recruiting Position did not appear to be retaliatory nor punitive. This move seemed inevitable. Warren was able to keep her same hours and work out of the same location when she no longer had recruiting responsibilities." Further, WPD "[was] not able to substantiate that Banks made any inappropriate comments to Warren on the phone or in person...[.]" None of the investigatory conclusions in WPD's February 1, 2019 memorandum substantiated any allegation of harassment by Officer Warren.

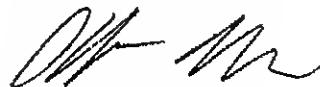
On February 18, 2019, Chief of Staff Nick DeSiato and I met with the WPD investigators to discuss the findings of their investigation. As a result of that meeting, I requested further information about Officer Warren's allegations related to the aforementioned January 25, 2018 Internal Affairs Division interview. According to WHD's February 1, 2019 memorandum, Officer Warren asserted that during this recorded interview, she had a dialogue with Sergeant Gagliano while the recorder was turned off. According to Officer Warren, Sergeant Gagliano stated Warren "[was] not the first to complain about [Banks] and inappropriate behaviors umm but probably the first to ever actually put it in writing." This alleged conversation was not memorialized in Sergeant Gagliano's January 25, 2018 memorandum regarding this interview.

WHD stated in their February 1, 2019 memorandum that it had contacted Sergeant Gagliano to clarify Officer Warren's statement, and Sergeant Gagliano stated she "did not recall saying anything to the effect about the discussion mentioned by Warren. She is not aware of any other cases involving Banks." Because I felt Officer's Warren's assertion that these comments were made while the recorder was turned off were significant and that these comments were not included in Sergeant Gagliano's January 25, 2018 memorandum, I requested that WHD conduct a follow-up interview with Captain Kristin Riestra, who was also present during that interview.

In a memorandum dated March 1, 2019, WHD stated it had followed-up with Captain Riestra regarding the January 25, 2018 interview. According to WHD, "Riestra did not recall Gagliano saying anything that Warren had characterized in the interview. Riestra was also questioned about any other cases involving Banks and she was not aware of any other cases except the ones investigators already reviewed."

Based on the findings in the February 1, 2019 and March 1, 2019 memorandums and my conversations with the WHD investigators, there is no preponderance of evidence to support the harassment allegations made in the August 10, 2018 letter from Cross Law Firm on behalf of Officer Warren. Accordingly, I find that the allegations are UNFOUNDED and this investigation is once again closed. The February 1, 2019 and March 1, 2019 memorandums are attached.

Respectfully submitted,



Alfonso Morales
Chief of Police

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